THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5354 of 2007

Dated: 24-04-2007

Between:

Kole Sai Gonda.

..... PETITIONER

AND

The Chief Executive Officer, Government of A.P.,
Nizamabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5354 of 2007

ORDER:

The petitioner is resident of Menoor Village, Madhnur Mandal, Nizamabad District. He wanted to execute various works of Rural Water Supply (RWS) Scheme taken up under Integrated Novel Development In Rural Areas and Model Municipal Areas (INDIRAMMA) Scheme through Bharath Nirman Scheme for drinking water. He alleges that the Gram Panchayat passed resolution dated 28.11.2006 to the effect that the works of RWS Scheme should be entrusted to him. However, he alleges that work is being allotted to sixth respondent. Contending that allotment of work to sixth respondent is contrary to the guidelines issued by the Government of Andhra Pradesh in G.O.Ms.No.37 dated 18.02.2005, the petitioner filed instant writ petition seeking a direction to respondents 1 to 5 to allot works under RWS Scheme relating to drinking water to him as per the resolution of the Gram Panchayat dated 28.11.2006.

At the stage of admission itself, fifth respondent filed counter-affidavit denying the right of the petitioner to get the contract of works under RWS Scheme. It is stated that the works of RWS Scheme were taken up under INDIRAMMA Scheme as per G.O.Ms.No.350 dated 31.08.2006 and various Villages were identified as model Villages. Under RWS Scheme, the Coordination Committee under the Chairmanship of Sarpanch of the Gram Panchayat has to entrust the works to ensure that only eligible persons should get benefit under the programme. The works will be allotted by fifth respondent to the persons recommended by the Coordination Committee as per G.O.Ms.No.350 dated 31.08.2006. It is also stated that the procedure contemplated under G.O.Ms.No.37 dated 18.02.2005 is not applicable to the case on hand as the works are taken up under INDIRAMMA Scheme.

The learned counsel for the petitioner took time for filing reply-affidavit. In spite of granting sufficient time, no reply-affidavit is filed. Therefore, the counter averments that G.O.Ms.No.37 dated 18.02.2005 has no application to the case on hand and that as per the procedure under G.O.Ms.No.350 dated 31.08.2006, the work was allotted to sixth respondent remains uncontroverted. The petitioner has no right, which can be enforced under Article 226 of the Constitution of India.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(**V.V.S.RAO, J**)

24th April, 2007
ghn